

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**DEVERICK SCOTT
ADC #131042**

PLAINTIFF

v.

No: 5:19-cv-00280 JM-PSH

JAMES GIBSON, *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Partial Recommendation submitted by United States Magistrate Judge Patricia S. Harris. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Partial Recommendation should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT the Defendants' motion for summary judgment (Doc. No. 55) is granted in part and denied in part. Scott's official capacity claims against Defendants are dismissed with prejudice. Summary judgment is denied as to Scott's individual capacity claims against Johnson and Green based on the June 8, 2018 macing incident; these claims will proceed to trial. Because Gibson and Shipman are entitled to qualified immunity with respect to the temperature of the water used for decontamination, those claims are dismissed with prejudice.

DATED this 13th day of July, 2022.


UNITED STATES DISTRICT JUDGE